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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/736,167
Filing Date: December 15, 2000
Appellant(s): JAKUBOWSKI, DOUGLAS

William H. Bollman
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed February 20, 2008 appealing from the Office action mailed June 15, 2006. The following is a copy of Examiner's Answer mailed May 31, 2007. No new ground(s) of rejections/arguments have been made.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,799,299	LI et al.	09-2004
6,857,102	BICKMORE et al.	02-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-23, 30-43, 47-53, 60-75, and 82-98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. (hereinafter “Li”), US 6,799,299 B1 filed 9/23/1999.

Regarding independent claims 7, 30, 47, 60, and 82, Li discloses receiving an indication of an item of content to be extracted from a source page containing one or more items of content in fig. 3-6, col. 4 lines 41-43, and col. 4 lines 60-63. Li discloses

determining an expression for uniquely locating the item of content to be extracted in fig. 6 and col. 5 line 51 - col. 6 line 18. Li discloses receiving transformation information for manipulating the item of content in fig. 5 and col. 5 lines 31-50. Li discloses storing the transformation information and the expression to a site mining template in fig. 3, 6, col. 4 line 53 - col. 5 line 4, and col. 5 line 51 - col. 6 line 18. Li discloses compiling the transformation information and expression stored in the template to a stylesheet utilizable for mining content from the source page to produce a destination page containing the extracted content in fig. 3-6, col. 4 lines 41-43, and col. 4 lines 60-63.

Li does not specifically disclose the above expressions as an "address". However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Li. Li teaches in fig. 14A (also col. 8 lines 55-58) HREF HTML link addresses within code in accordance with Li's preferred embodiment. It would have been obvious to the skilled artisan to use external HREF link addresses for uniquely locating content, and as part of transformation information, providing the benefit of increasing locations of possible extraction.

Regarding dependent claims 8 and 83, Li discloses receiving format information for formatting a layout of the stylesheet in fig. 4 and col. 5 lines 22-26.

Regarding dependent claims 9, 31, 61, and 84, Li discloses receiving an indication of a source page, retrieving the source page, and displaying the one or more

items of content contained in the source page for allowing a selection of the content to be extracted in fig. 6 and col. 5 line 51 - col. 6 line 18.

Regarding dependent claims 10, 32, 62, and 85, Li discloses wherein the transformation information includes procedural tags for controlling a processing routine in the stylesheet in fig. 6 and col. 5 line 51 - col. 6 line 18.

Regarding dependent claim: 11, 33, 48, 63, and 86, Li discloses wherein the transformation information includes transformation tags for manipulating content extracted from the source page in the stylesheet in fig. 3-6 and col. 4 line 53 - col. 6 line 18.

Regarding dependent claims 12, 34, 64, and 87, Li discloses wherein the item of content is delineated by one or more tags in fig. 6 and col. 5 line 51 - col. 6 line 18.

Regarding dependent claims 13, 35, 65, and 88, Li discloses compiling the template with a two pass compilation process, a first pass generating a main body of the stylesheet and a second pass generating commands located outside of the main body in fig. 3-5 and col. 4 line 53 - col. 5 line 50.

Regarding dependent claims 14, 36, 49 66, and 89, Li discloses receiving filtering criteria to indicate content to be extracted, the criteria comprising at least one of

selecting a single item of content located at a particular position, siblings of the item of content, similarly named siblings of the item of content, similarly named items of content located anywhere within the source page and content containing specific text in fig. 3-6 and col. 4 line 53 - col. 6 line 18.

Regarding dependent claims 15, 37, 50, 67 and 90, Li discloses receiving and indication of a root element and displaying content stemming from the root element in fig. 8. Li discloses wherein the content to be extracted is selected from the item of content stemming from the root element and wherein the expression is determined by combining an expression locating the root element with an expression locating the selected content relative to the root element in fig. 6 and col. 5 line 51 - col. 6 line 18.

Regarding dependent claims 16-17, 38-39, 68-69 and 91-92, Li discloses wherein the source page comprises an XML or HTML compliant document in col. 5 lines 5-17 and col. 9 line 66 - col. 10 line 2. Regarding dependent claims 18, 40, 70, and 93, Li discloses wherein the expression comprises an Xpath syntax expression in fig. 6 and col. 5 line 51 - col. 6 line 18.

Regarding dependent claims 19, 41, 71, and 94, Li discloses wherein the stylesheet includes a XSLT stylesheet in fig. 6 and col. 5 line 51 - col. 6 line 18.

Regarding independent claims 20, 42, 51, 72, and 95, Li discloses displaying a plurality of items of content on a graphical user interface hierarchy in tree view form in fig. 6-8, col. 5 line 51 - col. 6 line 18, col. 6 lines 36-39, and col. 6 line 66 - col. 7 line 22. Li discloses receiving a selection for the one item of content to be extracted from the source page in fig. 6-8, col. 5 line 51 - col. 6 line 18, col. 6 lines 36-39, and col. 6 line 66 - col. 7 line 22. Li discloses displaying any graphical components of the one item of content selected in the step of receiving a selection in fig. 6-8, col. 5 line 51 - col. 6 line 18, col. 6 lines 36-39, and col. 6 line 66 - col. 7 line 22. Li discloses generating a site mining expression for locating the one item of content on the source page in fig. 6 and col. 6 lines 5-14. Li discloses wherein the site mining expression is capable of locating content in a document written in an extensible markup language in col. 6 lines 12-14. The pattern matching code is a site mining expression used to locate matching content in a source document. It is paired with a corresponding action to extract the source content and translate it to target content.

Li does not specifically disclose the above expressions as an “*address*”. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Li. Li teaches in fig. 14A (also col. 8 lines 55-58) HREF HTML link addresses within code in accordance with Li’s preferred embodiment. It would have been obvious to the skilled artisan to use external HREF link addresses for uniquely locating content, and as part of transformation information, providing the benefit of increasing locations of possible extraction.

Regarding dependent claims 21, 43, 73, and 96, Li discloses the site mining expression comprises an Xpath expression in fig. 6 and col. 5 line 51 - col. 6 line 18

Regarding dependent claims 22, 52, 74, and 97, Li discloses receiving filtering criteria to indicate content to be extracted, the criteria comprising at least one of selecting a single item of content located at a particular position, siblings of the item of content, similarly named siblings of the item of content, similarly named items of content located anywhere within the source page and content containing specific text in fig. 3-6 and col. 4 line 53 - col. 6 line 18.

Regarding dependent claims 23, 53, 75, and 98, Li discloses receiving and indication of a root element and displaying content stemming from the root element in fig. 8. Li discloses wherein the content to be extracted is selected from the item of content stemming from the root element and wherein the expression is determined by combining an expression locating the root element with an expression locating the selected content relative to the root element in fig. 6 and col. 5 line 51 - col. 6 line 18.

Claims 1-6, 24-29, 44-46, 54-59 and 76-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. (hereinafter “Li”), US 6,799,299 B1 filed 9/23/1999 in view of Bickmore et al. (hereinafter “Bickmore”), US 6,857,102 B1 provisional application filed 4/7/1998.

Regarding independent claims 1, 24, 44, 54, and 76, Li teaches generating a site template in fig. 6 and col. 5 line 51 - col. 6 line 18. Li teaches generating a stylesheet comprising information indicating the content to be extracted from the source page and transformation information for manipulating the content based on the requirements of the target document in fig. 3-5, 8, col. 1 line 61 - col. 2 line 6, and col. 4 line 53 - col. 5 line 50. Li teaches that the content selection and transformation are done in two steps as shown in fig. 3. The first stylesheet selects the appropriate content as determined by the user and described in col. 6 lines 30-51. The second stylesheet transforms the selected content as determined by the user and described in col. 5 lines 36-50. Li teaches receiving a request to display the source page from a client, applying the stylesheet to the source page to produce a destination page, the destination page comprises the extracted content to be manipulated according to the transformation information, and transmitting the destination page to the client in col. 5 lines 48-50.

Li teaches that the client may be a mobile device such as a notebook computer, hand held, or PDA in col. 4 lines 15-37. Li does not specifically teach that the content selection and style manipulation are expressly performed based on the capabilities of a mobile device client. Bickmore does teach generating a site template based on capabilities of a mobile device and generating content and style transformation information based on the capabilities of the mobile device in fig. 1, 2, 11, 16, and col. 3 line 55 - col. 5 line 16. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Li and Bickmore to have created the claimed invention. It would have been obvious and desirable to have

used performed the content selection and style transformation of Li according to capabilities of the mobile device client as is expressly taught by Bickmore so that an appropriate amount and style of content would have been displayed on mobile devices having limited displays as is taught by Bickmore in col. 3 lines 55-63.

Regarding dependent claims 2, 25, 55, and 77, Li teaches retrieving the source page from a web server and identifying the content to be extracted using a site mining expression in fig. 6 and col. 5 line 51 - col. 6 line 18. The pattern matching code used by Li to identify the element of content on which the conversion is to be performed is the site mining expression.

Regarding dependent claims 3, 26, 45, 56, and 78, Li teaches determining a site mining expression for uniquely locating the content to be extracted in fig. 6 and col. 5 line 51 - col. 6 line 18.

Regarding dependent claims 4, 27, 46, 57, and 79, Li teaches receiving and storing to a site mining template the information indicating the content to be extracted and the transformation for manipulating the content and compiling the template to produce the stylesheet in fig. 6 and col. 5 line 51 - col. 6 line 18.

Regarding dependent claims 5-6, 28-29, 58-59, and 80-81, Li teaches wherein the source page comprises an XML or HTML compliant document in col. 5 lines 5-17 and col. 9 line 66 - col. 10 line 2.

(10) Response to Argument

Beginning on page 5 of the Appeal Brief (hereinafter the Brief), Appellant argues the following issues which are accordingly addressed below.

- a. *"Nothing within Li discloses or suggest use of an address as part of stylesheet generation, much less disclose or suggest stylesheet generation that relied on an address for uniquely locating an item of content to be extracted and a site mining address for locating an item of content in a source page"* (page 5 of the brief).

The examiner respectfully disagrees. Appellant argues that Li relies upon pattern matching to find any content matching a specific pattern, and that using an address would target content and not increase the locations of possible extraction. Appellant argues that using a address would instead decrease the extraction to only those items

that are at a particular address. Appellant alleges that the examiner's motivation is flawed.

Although pattern matching is indeed described as part of an embodiment of Li, there is no reason why pattern matching cannot be initially targeted to an address of a particular page or Web site. Li does not specifically (forcefully) disclose an "address", however, the use of HREF tags within Li, at the very least, clearly suggests to the skilled artisan the use of addresses, and it is well established in the relevant arts that many HREF references can be present in markup code, referencing images, Web pages, etc.

Representative claim 7 recites in pertinent part:

"determining an address for uniquely locating said item of content to be extracted;".

The examiner respectfully maintains that it would have obvious to use Li's HREF references (suggestive of addresses) for uniquely locating content (or for initially locating content to be parsed, etc.), therefore teaching the above limitation. It is noted that the representative claim 7 claims "an address" (i.e. a single address). In order for Li to perform pattern matching, it is at least obvious that Li must first have a source document to analyze (i.e. an address of a document).

Appellant argues on page 7-8 of the Brief that pattern matching is a relatively processor intensive operation, in contrast to the use of an address. The examiner respectfully notes that the claimed invention does not preclude the use of pattern matching along with addresses.

b. ***“Thus, the deficiency in Li is that Li fails to disclose generation of a site template to format a layout of a stylesheet based on capabilities of a mobile device”*** (page 8 of the Brief).

The examiner respectfully disagrees. Li teaches a first and second stylesheet for selecting and transforming appropriate content as explained in the instant rejection. Li also teaches that the client may be a mobile device such as a notebook computer, hand held, or PDA. Li does not specifically teach the above as based on capabilities of said mobile devices. However, Bickmore teaches generating a template based on capabilities of a mobile device and generating content and style transformation information based on the capabilities of the mobile device. Bickmore's template generation (based on mobile capability) is combined with Li's stylesheets to teach Appellant's claimed invention as instantly claimed.

Appellant argues lack of proper motivation to combine said references on pages 10-11 of the Brief. The examiner respectfully disagrees. Both references are in the same general field of endeavor inasmuch as both references deal with document transformation associated with mobile devices. Applying Bickmore provides the benefit of an appropriate amount and style of content to be displayed on mobile devices having limited displays (since there exists a wide variety of mobile devices, the capability of providing an appropriate amount and style of content is beneficial so as to accommodate said wide variety of devices with differing characteristics).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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